

Office Action Dated January 26, 2009
Application No. 10/552,163
Attorney Docket No. 82062-0177
Response Dated April 14, 2009

REMARKS

Claims 1-44 and 47-52 are presently pending and claims 45-46 cancelled by this amendment. Claims 1-38 are directed to a process for the production of a non-woven, and Claims 39-33, 47-52 are directed a hydro-entangled single- or multi-layer non-woven. Applicant has amended Claim 1 to incorporate the technical features claimed in Claims 39 and 40. For the reasons discussed below, Claims 1, 39, and 40 have "special" technical features and are patentable over 6,200,669 Marmon, 6,739,023 Vonfeldt, & 5,284,703 Everhart.

Claims 1, 39, and 40 as amended require layer (T_1) to have not have been previously subjected to a bonding step. Support for this amendment can be found in at least paragraph 9 for example. Marmon expressly teaches that a layer should be subjected to a bonding step before hydroentangling. Vonfeldt too describes an entangling step prior to the final hydroentangling step with pulp. This previous entangling step consolidates the layer before the further working thereof. Marmon and Vonfeldt teach away from the claimed invention, since a non-wovan that has not been previously subjected to a bonding step has a better feel and increased softness as compared to the prior art products.

With specificity to claim 40, this claim requires a non-wovan with exploded polymer fibers. The Examiner has falsely suggested that the separation of the multicomponent fibers into microfibers achieved with the splittable fibers is equated with exploding the fibers. As described in paragraph 48 of the application, exploded fibers are much finer and this feature gives rise to substantial advantages (as described in paragraph 67), namely a softer and better product, with reduced loss of pulp during hydro-entanglement.

CONCLUSION

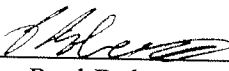
In view of the foregoing, the Applicants respectfully request that the Examiner consider the claims as amended for examination on the merits. A timely allowance of the pending claims is requested. If there are any fees (such as necessary extension of time or extra claims fees) due

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in connection with the filing of this Response and Amendment which are not covered by the concurrently submitted transmittal document, please charge any necessary fees or credit any overpayments to Deposit Account No. 50-1349. The Examiner is invited to contact Applicants' undersigned attorneys and agents by telephone to discuss any matters if the Examiner feels such discussions may expedite the progress of the present application toward allowance.

Respectfully submitted,

Dated: 4/14/09

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